

WALSWORTH
601 MONTGOMERY STREET, NINTH FLOOR
SAN FRANCISCO, CALIFORNIA 94111-2612
TEL (415) 781-7072 • FAX (415) 391-6258

LAURIE E. SHERWOOD, State Bar No. 155312
lsherwood@wfbm.com
ALEXANDER F. PEVZNER, State Bar No. 221606
apevzner@wfbm.com
WFBM, LLP
601 Montgomery Street, Ninth Floor
San Francisco, California 94111-2612
Telephone: (415) 781-7072
Facsimile: (415) 391-6258

Attorneys for Defendant
C-TWO GROUP, INC.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION

JAMIE MENDEZ,

Plaintiff,

v.

C-TWO GROUP, INC.; MOBILESTORM,
INC.; and DOES 1-40,

Defendants.

Case No. 3:13-cv-05914 HSG (KAW)

**STIPULATION TO EXTEND CLASS
CERTIFICATION DEADLINES FOR
THE OPPOSITION AND REPLY AND
DECLARATION OF LAURIE E.
SHERWOOD (LOCAL RULE 6-2);
ORDER;**

1. On September 12, 2014, the parties agreed to a 90 day continuance of the filing deadlines and hearing date on plaintiff's motion for class certification to allow for the parties to participate in a settlement conference with Magistrate Judge Kandis Westmore and to conduct discovery following the settlement conference. On September 15, 2015, Judge Edward Chen executed the order, and indicated that no further continuance would be granted. The order set the following schedule:

- ⌚ March 13, 2015: deadline for filing Plaintiff's Motion for Class Certification
- ⌚ April 10, 2015: deadline for filing Defendants' Opposition to Plaintiff's Motion for Class Certification
- ⌚ May 1, 2015: deadline for filing Reply to Defendants' Opposition to Plaintiff's Motion for Class Certification

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2. On December 1, 2015, the parties participated in a settlement conference with Magistrate Judge Westmore. The matter did not settle but counsel for all parties have continued to communicate with Magistrate Judge Westmore, and continue to explore possible resolution of the case.

3. On March 13, 2015, plaintiff filed her motion for class certification. On March 31, 2015, defendants deposed plaintiff Jamie Mendez. The deposition raised facts requiring additional investigation by defendant C-Two Group, Inc. Additionally, one of C-Two Group, Inc.'s witnesses is out of the country and will not return until next week.

4. In light of the above and to continue settlement discussions, the parties have agreed, subject to court approval, to a two week extension to file the opposition and reply. The parties do not seek to continue the hearing date of May 28, 2015, on Plaintiff's Motion for Class Certification.

IT IS THEREFORE STIPULATED by and between Plaintiff and Defendants, through their respective counsel, and subject to Court approval, as follows:

1. The deadline to file Defendants' Opposition to Plaintiffs' Motion for Class Certification is extended from April 10, 2015, to April 24, 2015;

2. The deadline to file Plaintiffs' Reply to Defendants' Opposition to Plaintiff's Motion for Class Certification is extended from May 1, 2015, to May 15, 2015; and

3. The hearing date on Plaintiff's Motion for Class Certification will not be continued and will remain on May 28, 2015.

IT IS SO STIPULATED:

Dated: April 8, 2015

KEARNEY LITTLEFIELD LLP

By: /s/ Prescott W. Littlefield

THOMAS A. KEARNEY

PRESCOTT W. LITTLEFIELD

Attorneys for JAMIE MENDEZ AND THE
PURPORTED CLASS

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Dated: April 8, 2015

STONEBARGER LAW, APC

By: /s/ Richard D. Lambert

GENE J. STONEBARGER

RICHARD D. LAMBERT

Attorneys for JAMIE MENDEZ AND THE
PURPORTED CLASS

Dated: April 8, 2015

AKAWIE & LAPIETRA

By: /s/ Gregory S. Nerland

GREGORY S. NERLAND

Attorneys for Defendant

C&L ASSOCIATES, INC.

Dated: April 8, 2015

WFBM, LLP

By: /s/ Laurie E. Sherwood

LAURIE E. SHERWOOD

ALEX F. PEVZNER

Attorneys for Defendant

C-TWO GROUP, INC.

DECLARATION OF LAURIE E. SHERWOOD

1
2 1. I am an attorney at law, duly licensed to practice in the State of California and a partner
3 with the firm of Walsworth, Franklin, Bevins & McCall, LLP, counsel of record for defendant C-Two
4 Group, Inc. I have personal knowledge of the facts set forth in this Declaration and, if called as a
5 witness, could and would testify competently to such facts under oath.

6 2. On September 12, 2014, the parties agreed to a 90 day continuance of the filing
7 deadlines and hearing date on plaintiff's motion for class certification to allow for the parties to
8 participate in a settlement conference with Magistrate Judge Kandis Westmore and to conduct
9 discovery following the settlement conference. On September 15, 2015, Judge Edward Chen executed
10 the order, and indicated that no further continuance would be granted. The order set the following
11 schedule:

12 ☉ March 13, 2015: deadline for filing Plaintiff's Motion for Class Certification

13 ☉ April 10, 2015: deadline for filing Defendants' Opposition to Plaintiff's Motion for
14 Class Certification

15 ☉ May 1, 2015: deadline for filing Reply to Defendants' Opposition to Plaintiff's Motion
16 for Class Certification

17 3. On December 1, 2015, the parties participated in a settlement conference with
18 Magistrate Judge Westmore. The matter did not settle but counsel for all parties have continued to
19 communicate with Magistrate Judge Westmore, and continue to explore possible resolution of the
20 case.

21 4. On March 13, 2015, plaintiff filed her motion for class certification. On March 31,
22 2015, defendants deposed plaintiff Jamie Mendez. The deposition raised facts requiring additional
23 investigation by defendant C-Two Group, Inc. Additionally, one of C-Two Group, Inc.'s witnesses is
24 out of the country and will not return until next week.

25 5. In light of the above and to continue settlement discussions, the parties have agreed,
26 subject to court approval, to a two week extension to file the opposition and reply. The parties do not
27 seek to continue the hearing date of May 28, 2015, on Plaintiff's Motion for Class Certification. The
28 requested extension will not affect the case schedule.

1 I declare under penalty of perjury under the laws of the State of California that the foregoing is
2 true and correct.

3 Executed on this 8th day of April, 2015, at San Francisco, California.

4
5 /s/Laurie E. Sherwood

6 LAURIE E. SHERWOOD

7
8 ATTORNEY ATTESTATION

9
10 I hereby attest that all counsel have consented to the use of any signatures indicated by a
11 conformed signature (/s/) within this e-filed document.

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13
14 /s/Laurie E. Sherwood

15 LAURIE E. SHERWOOD


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ORDER

IT IS ORDERED as follows:

1. The deadline to file Defendants' Opposition to Plaintiffs' Motion for Class Certification is extended from April 10, 2015, to April 24, 2015;
2. The deadline to file Plaintiffs' Reply to Defendants' Opposition to Plaintiff's Motion for Class Certification is extended from May 1, 2015, to May 15, 2015; and
3. The hearing date on Plaintiff's Motion for Class Certification will not be continued and will remain on May 28, 2015.

DATED: April 13, 2015


THE HONORABLE HAYWOOD S. GILLIAM, JR.
UNITED STATES DISTRICT JUDGE

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